

Serial No.: 09/818,313

**REMARKS**

Thorough examination by the Examiner is noted and appreciated. Applicants respectfully apologize for failing to list claims 13-18 in the previous Office Action and gratefully acknowledge Examiners withdrawal of finality.

The Abstract has been amended to shorten the number of words and to make it consistent with the claims.

The Claims have been amended to clarify Applicants disclosed and claimed invention in an effort address Examiners concerns to clearly distinguish over Nyugen et al.

Support for the amended claims is found in the original claims and/or Specification. No new matter has been entered.

**Claim Rejections under 35 U.S.C 102(e)**

1. Claims 1-6, and 13-18 stand rejected under 35 U.S.C 102(e) as being anticipated by Nyugen et al. (US 6, 122, 566).

Serial No.: 09/818,313

Nyugen et al. disclose a multiple chamber processing system with a multi-tasking process control including a processing sequencer which can look ahead in the process sequence and identify a **deadlocked workpiece** (see Abstract; col 2, lines 40-43).

Nyugen et al. teach that the problem to be overcome is the occurrence of a **"deadlocked" process wafer** which is caused by a destination processing chamber being blocked (busy) due to the processing of another wafer. (see col 2, lines 8-24). Thus the method and apparatus of Nyugen et al. operates as a **rescheduler** once the **deadlocked wafer processing** situation occurs (see col 2, lines 35-38; lines 53-57; lines 65-67; col 3, lines 1-3; lines 11-15; lines 16-17; col 3, lines 18-23; lines 26-27).

Thus, the method of Nyugen et al. operates by **first identifying a deadlocked chamber during the processing of several wafers and then taking steps to reschedule the processing sequence for the deadlocked wafer.**

In contrast, Applicants disclosed and claimed invention first schedules the process and selects the chambers **prior to processing the wafer to avoid inefficiencies such as deadlock wafers.** Thus, Nyugen et al. do not disclose or suggest several elements of Applicants disclosed and claimed invention:

Serial No.: 09/818,313

"first defining for each chamber within the series of chambers a minimum of one fabrication process to provide a series of fabrication processes corresponding with the series of chambers **prior to processing a substrate within said series of chambers**, wherein at least one fabrication process is undertaken within more than one chamber and at least one chamber has defined therein more than one fabrication process including the at least one fabrication process which is undertaken within more than one chamber;

then selecting the at least one chamber for processing the substrate while employing the at least one fabrication process which is undertaken within more than one chamber, the at least one chamber selected to optimize utilization of the multi-chamber fabrication tool; and,

then processing within the multi-chamber fabrication tool the substrate while employing the at least one fabrication process which is undertaken within more than one chamber."

Nyugen et al. is clearly insufficient to anticipate Applicants disclosed and claimed invention.

Based on the foregoing, Applicants respectfully request reconsideration of Applicants claims in light of Examiners expressed concerns and Applicant amendments which overcome such concerns. Applicants respectfully submit that the Claims are

Serial No.: 09/818,313

now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

In the event that the present invention as claimed is not in a condition for allowance for any other reasons, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

**TUNG & ASSOCIATES**

Randy W. Tung

Reg. No. 31,311

Telephone: (248) 540-4040